



UNITED STATES
ATTORNEY'S OFFICE
DISTRICT OF COLUMBIA

**Community
Prosecution**

The Court Report

Covering the Month of
2nd Police District November 2004

Building Safer Neighborhoods Through Community Partnership

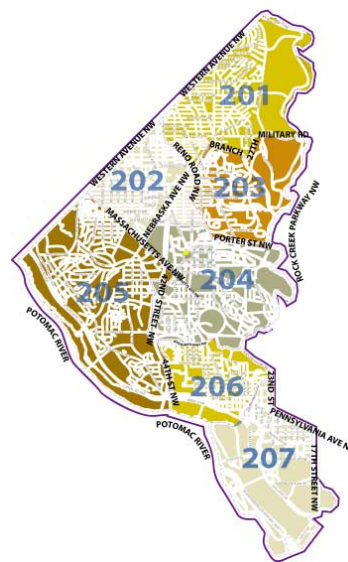
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SUMMARY OF RECENT COURT CASES

- **Walter Barnes**, 46, Washington, D.C., was sentenced on November 4, 2004 by D.C. Superior Court Judge Wendell P. Gardner to 12 years in prison for burglarizing Georgetown businesses.
- **Edward McDonald**, 24, of the 1600 block of W Street, S.E., Washington, D.C., was convicted of Second Degree Murder While Armed and Aggravated Assault While Armed on November 4, 2004. D.C. Superior Court Judge Keary will sentence the defendant on January 28, 2005.
- **Roger Sullivan**, 47, of the 11000 block of Dewey Road, in Kensington, Maryland, pleaded guilty today to possessing child pornography on his office computer, at the Washington News Bureau of a national broadcast and cable network. **Sullivan** pleaded guilty to an indictment before U.S. District Court Judge Paul L. Friedman, admitting that he possessed more than ten images of child pornography, in violation of Title 18, United States Code, Section 2252A. The charge carries a possible prison term of 5 years.
- **Jason Lewis Foster**, 26, of the 400 block of Oklahoma Avenue, N.E., was sentenced before United States District Judge Paul L. Friedman to 50 months in prison and ordered pay \$60,000 in restitution for phoning in false bomb threats on December 12, 2003, and February 20, 2004. **Foster** pled guilty to making threats to kill and injure others by means of an explosive on August 10, 2004. Judge Friedman also ordered Foster to pay \$60,000 in restitution.

A detailed descriptions of these and other cases from the 2nd District are provided inside of this report.

THE 2ND POLICE DISTRICT



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2ND DISTRICT COMMUNITY PROSECUTION UPDATE



Working Group Meeting: The U.S. Attorney's Office hosted a follow-up meeting to our Community Prosecution Conference at the Second District on November 17, 2004. The two topics discussed were burglaries and theft from automobiles. Our 2D Community Prosecutor, Assistant U.S. Attorney Tim Lucas, explained, in detail, some of the things that the U.S. Attorney's Office is doing in conjunction with MPD to combat these problems. He also solicited ideas from community members on how to enhance our ability to address these crimes. Members in attendance recommended that we resurrect Project Identification, an MPD Program of inscribing personal property. Such inscriptions are helpful in identifying property taken in burglaries and thefts and, at times, in deterring the theft all together. MPD will resurrect the program. AUSA Lucas also highlighted our partnership with MPD and Mayor William's CORE Team who collectively work to combat crime and quality of life issues. You may notify the Mayor's call center by telephoning (202) 727-1000 to communicate your concerns.

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THE COURT REPORT

D.C. Superior Court Judge Wendell P. Gardner sentenced Walter Barnes, 46, Washington, D.C., on November 4, 2004 to 12 years in prison for burglarizing Georgetown businesses. (Case No. F1642-04; PSA 206).

On July 30, 2004, Walter Barnes pled guilty to four counts of Second Degree Burglary. One of the burglaries occurred on March 6, 2004 at the Jean Luc Hair Salon located at 3200 P Street, NW. The others occurred on February 4, 2004; March 2, 2004; and March 12, 2004 at the Popper Topper Hat Store. In the last burglary, Second District Metropolitan Police department Officers Jeffrey Cadle and Ydis Zuniga spent the night at the Popper Topper in response to recent burglaries there. At about 1:40 a.m., they observed Walter Barnes break the rear window and enter the store. The officers then arrested Barnes as he walked toward the cash register. After his guilty pleas, Judge Gardner sentenced Walter Barnes to 3 years of confinement for each of the four counts of Second Degree Burglary.

In announcing the conviction and sentence, United States Attorney Kenneth L. Wainstein commended the Metropolitan Police Department, Officers Cadle and Zuniga, Detectives Neil Jones, Juan Davilla, and Keith Tabron, Paralegal Specialist Shernell Mallory and Assistant United States Attorney John Irving who were all instrumental in the investigation and resolution of this case.

Edward McDonald, 24, of the 1600 block of W Street, S.E., Washington, D.C., was convicted of Second Degree Murder While Armed and Aggravated Assault While Armed on November 4, 2004. D.C. Superior Court Judge Keary will sentence the defendant on January 28, 2005. (Case No. F-5425 -02, PSA 711)

The government's evidence at trial showed that on August 10, 2002, shortly after 8:00 p.m., the decedent, Mr. Walker, left his apartment complex on Green Street, S.E., driving a friend's Nissan to have a flat tire repaired. At approximately 8:30 p.m., Mr. Walker accidentally hit the back of the defendant Edward McDonald's older model Cadillac near the corner of 16th & V Streets, S.E. This fender bender resulted in minor damage to the defendant's car. The defendant walked over to Mr. Walker, who was still sitting in the Nissan, and forcibly yanked him out of the driver's seat. The defendant pulled Mr. Walker over to the left rear side of the defendant's Cadillac that had been hit and in a violent and nasty tone of voice said, "look what you did to my mother f ___ ing car." In the middle of the street with neighbors watching, the defendant immediately began to punch and beat Mr. Walker about his face, head and upper body area. The defendant's blows were so forceful that at times Mr. Walker's head snapped back and his body crumbled to the ground. When Mr. Walker could not get off the ground on his own accord, the defendant then picked him up and continued to beat him. The defendant beat Mr. Walker non-stop and at times three of his friends joined in and also punched and beat Mr. Walker. The defendant then hit Mr. Walker in his head with a 2x4 piece of wood while demanding money from him to pay for the damages to his car.

At one point during this incident, Mr. Walker gave money to the defendant who took it but nonetheless continued to punch and beat Mr. Walker about his head and upper body. A person tried to intervene and asked the defendant to stop beating Mr. Walker. The defendant told that person that he would do the same thing to them. The defendant then grabbed Mr. Walker by his shirt and forcibly pulled him almost one block to the corner of 16th & W Streets, S.E. Mr. Walker again took out his wallet in an apparent attempt to give it to the defendant. Nonetheless, the defendant slammed Mr. Walker down on the steps of a corner store and demanded that he make a telephone call to get money to pay for the damages to his car. While at that location, the defendant pushed Mr. Walker causing him to fall down and crack his head on the sidewalk. The defendant also told Mr. Walker that he should put him to sleep, which meant to kill him. The defendant stopped this malicious beating and fled only when he heard the sound of the sirens of emergency personnel coming into the area. Shortly thereafter he returned to V Street, S.E., where he said to neighbors "all of you nosy mfers can go in the house, the show is over," while Mr. Walker sat dazed on the steps of the corner store at 16th & W Streets with approximately 4 large lumps protruding about 2 inches from his forehead.

Before police officers arrived, the defendant's car and the Nissan that Mr. Walker was driving had been moved from 16th Street where the fender bender occurred. Thus, when police officers arrived in the area they were unable to locate the cars involved in the accident. Although police and medical personnel viewed Mr. Walker at 16th & W Streets, there were no visible signs of the internal injuries he had just suffered. Because Mr. Walker was afraid of hospitals and doctors, he declined to be taken to the hospital and was permitted to go home. Within one to two days after this incident, the defendant approached a witness and threatened that person not to pick his picture if shown photographs by the police and that anyone who came to court would have a bullet with their name on it. The police later found and recovered the defendant's vehicle on August 13, 2002, and recovered the Nissan on August 14, 2002, after it had been set on fire.

Twice on Sunday morning, August 11, 2002, between 7:30 a.m. and 9:30 a.m., a neighbor saw Mr. Walker in his apartment and told him to go to the doctor. Mr. Walker said that he was not feeling well but that he would just rest and try to sleep. That same morning, at approximately 11:30 a.m., a neighbor found Mr. Walker unconscious on the floor of his apartment. He was taken to the Washington Hospital Center where he never regained consciousness and died early Monday afternoon, August 12, 2002, from the severe blunt trauma to his abdomen and head injuries inflicted upon him during the course of this beating incident. During the course of this 15 to 20 minute atrocious beating Mr. Walker was unarmed, never fought back, never said anything threatening to the defendant, and never had the opportunity to protect or defend himself. Mr. Walker was a complete stranger to the defendant.

In announcing the jury's verdict, United States Attorney Wainstein praised the work of the members of the Metropolitan Police Department Violent Crime Branch - Detectives Todd Amis, Anthony Brigidini, Ray Crawford, Lazaro Gonzalez, James King, Dan Lewis, Lee Littlejohn, Don Juan Monroe, Dwayne Partman, Don Sauls, Jeffrey Williams, and Jed Worrell; from the Mobile Crime Unit - Technicians Kemper Agee, Carmen Pagan, Elizabeth Sharp-Hamlet, Sergeant Ronald Arce, and Crime Scene Search Technicians Calvin Hopkins, Antoine Perry, and J.D. Smith; and from the Seventh District - Officers Fred Brown, Curtis Coleman, Paul Dean, Sergeant Curtis Jones, Sergeant Jason Korczynski, Officer Stephen Murphy, Officer

Derek Phillips, Detective Paul Regan, and Officer Elijah Shahid. He also thanked Paralegal Julie Ennis; Legal Assistants Michelle Hughes, Bridget Harris and Gwenever Quigley; and Litigation Support Personnel Kimberly Smith. Lastly, Mr. Wainstein commended Assistant United States Attorney Karla-Dee Clark who investigated, indicted and prosecuted the case.

DISTRICT COURT REPORT

Roger Sullivan, 47, of the 11000 block of Dewey Road, in Kensington, Maryland, pleaded guilty today to possessing child pornography on his office computer, at the Washington News Bureau of a national broadcast and cable network. Sullivan pleaded guilty to an indictment before U.S. District Court Judge Paul L. Friedman, admitting that he possessed more than ten images of child pornography, in violation of Title 18, United States Code, Section 2252A. The charge carries a possible prison term of 5 years; under a plea agreement, he is likely to serve 30-37 months pursuant to the federal sentencing guidelines, and pay a fine of \$60,000.

Sullivan admitted that in March 2002, his employer turned over a computer to the FBI, after the discovery that he had downloaded thousands of images from the Internet, using his employer's Internet provider and server. Analysts from the National Center for Exploited Children, the U.S. Navy Center for Child Protection, and the FBI Laboratory, determined that the images were of actual underage and prepubescent children, many downloaded from Eastern European and Russian websites.

In announcing the guilty plea, United States Attorney Kenneth L. Wainstein praised the efforts of FBI Special Agents Audrey McNeill, Jon Moeller, Anthony Hissong, and Ronald Clark; Dr. Richard Vorder Bruegge of the FBI Laboratory; Dr. Barbara Craig of the National Naval Medical Center, former Assistant U.S. Attorney Mark Rothenberg, who indicted the case, and Assistant U.S. Attorney Barbara E. Kittay, who prepared it for trial.

Kevin Brown, 52, formerly of Forestville, Maryland, was sentenced to a total of 183 months in prison following his convictions for Armed Bank Robbery, Possession of a Firearm by a Convicted Felon, and Unlawful Use of a Firearm during a Crime of Violence, by the Honorable Chief Judge Thomas F. Hogan of the U.S. District Court. A federal jury convicted Brown of the charges in May 2004.

The evidence presented at trial established that on Friday, August 29, 2003, at approximately 4:55 p.m., Kevin Brown, dressed in a grey suit, which earned him the moniker, "the Gentleman Bandit," entered the SunTrust Bank, located at 1925 K Street, N.W., Washington, D.C., and sat down at a bank employee's desk, which was situated in the lobby of the bank. Brown then displayed a pistol and told the employee, "I need to get into the vault." Brown kept the pistol hidden underneath a notebook that he was carrying. They sat at the desk for about five minutes, until the lobby cleared of customers and the bank closed. Brown then ordered the employee to lead him to the vault area. As she got up from her desk, the employee

hit the alarm at her desk and then led Brown to the area of the vault. The employee explained that she could not open the vault.

After failing to gain entry to the vault, Brown directed the employee to lead him to the area behind the teller line. She took Brown to the teller door and when he entered with his gun drawn, she was able to flee the bank, yelling for help. Brown attempted to stop her, but failed, and instead grabbed another female bank employee and forced her to the teller door. A male bank employee opened the door and Brown entered. He ordered the female employee to put money in a bag he was carrying. She did so, but Brown snatched the bag from her and gave it to the male employee because she was moving too slowly. Brown then jammed his gun into the back of the male employee's head and ordered him to put money in the bag. The employee did so, but he also put a dye pack and bait bills into the bag.

Brown took the bag when he was ready to leave, but as he was attempting to close the zipper, he fired his 9mm pistol. Fortunately, no one was hit, even though employees were standing right next to Brown. Brown ordered the female employee to escort him to a back entrance that opened onto 20th Street. As the robbery was occurring, a bank customer was standing at the front door, watching the robbery inside. When Brown fled the bank, the customer pointed out the defendant to arriving officers, who chased the defendant into an alley.

MPD Officer Michael Carruth, with his gun drawn, was the first officer to find Brown, who was crouching down beside an air conditioning unit, with his hand inside the bag. Officer Carruth gave Brown numerous orders to show his hands, but instead, Brown stood up with his hand still inside the bag. By this time, Officer Kevin Delozier arrived to assist in ordering Brown to drop the bag and show his hands. Brown finally did so, and was arrested. Brown commented later that he could have shot Officer Carruth. The bag contained Brown's 9mm pistol and \$23,409, including several bait bills and money stained by the dye pack, which had exploded.

In announcing the sentence, the leaders of the MPD, FBI and U.S. Attorney's Office praised the efforts and courage of Officers Carruth, Delozier, and Gregory Rock, who also assisted in the arrest. They also commended the lead investigators from the FBI, Special Agents Paul Timko and John Wagner, as well as USAO staff members who facilitated this successful prosecution, including legal assistants Phaylyn Hunt, Karen Evans, LaTasha Sams, Cheryl Simms, student law clerk Kimberly Aytes and Assistant United States Attorney Frederick Yette, who prosecuted the case.

Miguel Morrow, 26, and Lionel Stoddard, 22, both of the 700 block of Marietta Place, N.W.; Carlos Aguiar, 24, of the 1400 block of Fairmont Street, N.W.; Bryan Burwell, 27, of the 7300 block of Finns Lane, Lanham, Maryland; Aaron Perkins, of the 2600 block of Brinkley Road, Ft. Washington, Maryland, and Malvin Palmer, 20, of Bronx, New York. The six defendants were initially indicted in August on charges of conspiracy to commit armed bank robbery, armed bank robbery, and unlawful possession of a firearm with a removed, obliterated and altered serial number. This week's superseding 21-count indictment now includes the following charges: Conspiracy to Participate in a Racketeer Influenced Corrupt Organization, Conspiracy to Commit Armed Bank Robbery, Armed

Bank Robbery, (Using and Carrying a Firearm in Relation to a Federal Crime of Violence, Unlawful Possession of a Firearm and Ammunition by a Person Convicted of a Crime Punishable by Imprisonment for a Term Exceeding One Year, Aiding and Abetting; Assault With Intent to Kill While Armed.

The RICO conspiracy alleges that the six individuals participated in the following six armed bank robberies in D.C. and Maryland: January 22, 2004, Bank of America, 5911 Blair Road, N.W., Washington, D.C., in which approximately \$144,000 was taken; March 5, 2004, Riggs Bank, 7601 Georgia Avenue, N.W., Washington, D.C., in which approximately \$92,000 was taken; May 10, 2004, Chevy Chase Bank, 3601 St. Barnabus Road, Temple Hills, Maryland, in which approximately \$54,000 was taken; May 27, 2004, Chevy Chase Bank, 5823 Eastern Avenue, Chillum, Maryland, in which approximately \$18,000 was taken; June 12, 2004, Industrial Bank, 2012 Rhode Island Avenue, N.W., Washington, D.C., in which approximately \$30,000 was taken; and June 29, 2004, SunTrust Bank, 5000 Connecticut Avenue, N.W., Washington, D.C., in which approximately \$23,000 was taken.

To date, three individuals have pled guilty to related charges in this matter. A trial date has not yet been set for the remaining six defendants. An arraignment is currently scheduled for November 18, 2004, before U.S. District Court Judge Colleen Kollar-Kotelly.

In announcing the superseding indictment, United States Attorney Kenneth L. Wainstein, Michael A. Mason, Assistant Director in Charge of the FBI's Washington Field Office, Metropolitan Police Department Chief Charles Ramsey, John Malone, Special Agent in Charge of the Alcohol, Tobacco, Firearms and Explosives' Washington Field Office, and U.S. Marshal George Walsh praised the efforts of the FBI Washington and Baltimore Field Offices and Laboratory; the U.S. Marshal Service, the Bureau of Alcohol, Tobacco, Firearms and Explosives; the Metropolitan Police Department; and the Prince George's County Police Department, all of whom contributed greatly to this investigation.

A California aircraft parts supplier, Interaero, Inc., was sentenced by the Honorable Judge John Garrett Penn of the U.S. District Court for the District of Columbia to a fine of \$500,000 to be paid over a period of corporate probation of five years. Interaero pleaded guilty on August 17, 2004, to a one-count Information, charging a violation of the Arms Export Control Act. In pleading guilty, Interaero admitted to exporting, between June 2000 and March 2001, six shipments of military aircraft parts, valued at over \$40,000 to the People's Republic of China, including parts for F-4 Phantom Fighters, F-5 Phantom/Tiger Fighters, and Hawk Missiles, without the required Department of State export licenses.

The military aircraft parts supplied by Interaero were advertised on the Inventory Locator Service, a subscription computer database on which aircraft parts suppliers advertise the parts they can supply. Interaero offered to sell commercial and military aircraft parts which require an export license. The particular military aircraft for which these parts were ordered are older American planes used by countries, such as Iran, which cannot obtain new planes or equipment for the older planes due to embargoes on their countries. These aircraft are well recognized by

those in the aircraft industry and lawful suppliers question carefully any buyer who seeks parts for them.

In this case, Interaero knew it was dealing with a buyer from the People's Republic of China ("PRC") and was also aware that the buyer intended to sell the parts to Iran. Nevertheless, Interaero shipped the parts to the PRC without making any effort to obtain an export license.

Under the Arms Export Control Act and International Traffic in Arms Regulations, transfer of military aircraft parts is prohibited without an export license for reasons of our national security. There are currently embargoes in place against the transfer of such parts to the People's Republic of China and Iran. Because of the embargoes, it is illegal to sell or transfer or propose to sell or transfer any defense articles to the PRC or Iran or to any person acting on behalf of a Chinese or Iranian entity without a license. The Department of State policy is to deny all export licenses to the PRC or Iran.

This sentence is the ninth, in California and the District of Columbia, resulting from an undercover investigation targeted at aircraft parts suppliers who sell defense articles and military parts over the internet to foreign buyers without obtaining export licenses or complying with the arms embargoes.

In announcing the sentence, United States Attorney Kenneth L. Wainstein and Assistant Secretary Michael J. Garcia commended the outstanding work of the special agents involved from the Department of Homeland Security, the Naval Criminal Investigative Service, and the Defense Criminal Investigative Service in the five-year investigation. They also praised Assistant United States Attorney Wendy Wysong and Supervisory Paralegal Specialist Ivy Hart.

Dr. Myra Sampler, 56, a local podiatrist, of Silver Spring, Maryland, was sentenced in United States District Court by the Honorable Rosemary M. Collyer to 25 months in prison and three years of supervised release in connection with Sampler's plea in a health care fraud case. Sampler pled guilty in August 2004 to health care fraud in connection with a five-year pattern of submitting fraudulent claims to the District of Columbia's Medicaid Assistance Administration.

According to the government's evidence, the defendant, Myra Sampler, is a podiatrist, who from 1999 through the Spring of 2003, cultivated a practice that relied almost entirely on servicing Medicaid patients in the District of Columbia. As an approved Medicaid provider, Sampler submitted numerous claims to D.C. Medicaid for patients she claimed to have seen and received from D.C. Medicaid approximately \$302,128 in 2002, \$521,236 in 2003, and \$224,187 between January and April of 2004. Those figures made Sampler one of the top-ranked recipients in the District of Columbia, regardless of specialty, of Medicaid payments in 2003 and in the first four months of 2004.

Sampler, in a pattern of deceit that spanned five years, submitted claims for providing services she had not completed and for treating patients she had not even seen. She billed Medicaid more than 100 times for purportedly treating patients who had died before the claimed

date of service. She repeatedly billed Medicaid for purportedly seeing patients when she was, in fact, traveling outside of the United States. Evidence indicated, for instance, that Dr. Sampler billed Medicaid for seeing patients while she was traveling on the Caribbean Island of St. Martin, and while she was traveling in Cancun, Mexico. Indeed, just during 2002 and 2003, she billed Medicaid for having treated well more than 400 patients while she was out of the country.

Sampler also claimed to have seen, but did not actually see, exceedingly large numbers of patients in any given day: for example, Sampler billed Medicaid for having treated 105 D.C. Medicaid recipients on April 7, 2003; 93 D.C. Medicaid recipients on March 30, 2002; 93 D.C. Medicaid recipients on May 29, 2002; 92 D.C. Medicaid recipients on August 31, 2002; and 88 D.C. Medicaid recipients on September 3, 2003. Finally, Sampler billed Medicaid for multiple services that either had not been performed or that she knew were not covered in combination with each other.

Sampler deposited her ill-gotten gains into several bank accounts, and some of the money she had obtained was seized pursuant to a warrant in April 2004. Overall, Dr. Sampler made more than a million dollars from Medicaid between January 2002 and April 2004, and roughly \$420,000 of that total was recovered at the time the warrant was executed.

In announcing this sentence, United States Attorney Kenneth L. Wainstein commended the investigative efforts of United States Health and Human Services Office of Inspector General Special Agent Jason Marrero, United States Postal Inspector Brian Evans, and Investigator Kathleen Jansen of the District of Columbia Department of Health. Mr. Wainstein also commended the work of Sandra Henderson, an auditor with the United States Attorney's office, legal assistant Teesha Tobias, and Assistant United States Attorneys Elana Tyrangiel, Thomas Zeno, and Linda Otani McKinney, who prosecuted the case.

Ronald J. Goreski, 63, of Herndon, Virginia, was sentenced to 27 months in jail for possession of child pornography by the Honorable John Garrett Penn, United States District Judge for the District of Columbia. The defendant had earlier pled guilty to possession of child pornography on June 9, 2004.

According to the evidence presented by the government and agreed to by the defendant at the time of his plea of guilty, in June, 2003, fellow employees at the Potomac Electric Company ("PEPCO") observed the defendant, who at the time also was a PEPCO employee, viewing pornography on his computer monitor at work in the PEPCO building at 701 Ninth Street, N.W., Washington, D.C. PEPCO verified that the defendant was viewing child pornography by, among other things, reviewing the defendant's use of the PEPCO computer.

In accordance with PEPCO employment agreements and PEPCO security policies, PEPCO turned over to the FBI the defendant's work computer and eleven floppy disks belonging to the defendant that he kept at work. Both the computer hard drive and the floppy disks contained numerous movie files showing children involved in sex acts with adults. At least one of the children portrayed in these films appeared to be under the age of seven.

In announcing the sentence, United States Attorney Kenneth L. Wainstein praised the investigative work of the Federal Bureau of Investigation Washington Field Office. He also thanked Cheryl Simms for administrative support, and commended Assistant United States Attorneys Jelahn Stewart and Catharine A. Hartzenbusch, who prosecuted the case.

Gregory Murray, 38, of the 1200 block of Otis Place, N.W., Washington, D.C., pled guilty before United States Magistrate Judge Alan Kay to a bribery scheme involving the selling of D.C. driver's licenses in fraudulent names from the Georgetown Branch of the Department of Motor Vehicles ("DMV"). That office is located at 3222 M Street, N.W., Washington, D.C. (PSA 206). Murray pled guilty to aiding and abetting the receipt of bribes by a public official.

According to the government's evidence, the investigators contacted this individual, Craig Hughes, who agreed to get the investigator, acting in an undercover capacity, two licenses for \$3,200 or one for \$1,800. Hughes told the investigator that he would need the name of an actual person, with a matching Social Security Number, to get the licenses. Thereafter, on two separate occasions, undercover agents met with Hughes and gave him money for the transactions. Hughes then met with Murray to give him some of the money. Murray escorted the undercover agents into the Georgetown Branch of DMV to meet with Johnson. On the second occasion, before taking the undercover agent into see Johnson, Murray met with Johnson outside DMV and was seen passing her money at that time. Once inside the DMV Office, Johnson processed the licenses for the undercover agents. Although Johnson did not ask for any verification of the identity of the undercover agents, she did put false information on their applications showing that they had turned in out-of-state licenses, had passed the eye test, and were residents of the District of Columbia. After having paid the standard processing fee for a license, the undercover agents left with the licenses with the fraudulent names on them.

On August 26, 2004, an undercover agent conducted another buy of a driver's license in a fraudulent name, which transaction proceeded in similar fashion to the past occasions. After the undercover agent received the license, all three individuals were arrested.

Late last month, Lisa B. Johnson, 41, of the 1700 block of Lyman Place, N.E., a former teller at the DMV office, pled guilty to receipt of bribes by a public official, and Craig C. Hughes, 42, a private individual, of the 1700 block of F Street, N.E., pled guilty to aiding and abetting the receipt of bribes by a public official. All three defendants face up to 15 years in prison when sentenced by United States District Judge Colleen Kollar-Kotelly early next year, but likely will face 10 to 16 months of imprisonment under the federal sentencing guidelines.

This matter involved a joint investigation by the investigative arms of the FBI, Inspector General's Office for the District of Columbia, Office of the Chief Financial Officer for the District of Columbia, the Metropolitan Police Department and the United States Attorney's Office, which were investigating the activities of Johnson relative to her employment with DMV. As part of that investigation, they developed information that an individual was acting allegedly as a middleman in deals to illegally sell D.C. driver's licenses in fraudulent names.

In announcing the guilty plea, United States Attorney Kenneth L. Wainstein, Michael A. Mason, Assistant Director in Charge of the FBI's Washington Field Office, D.C. Interim Inspector General Austin A. Andersen, Metropolitan Police Department Chief Charles Ramsey, and Chief Financial Officer Dr. Natwar Gandhi praised the hard work of the FBI undercover agents, Special Agent Karen Meunier of the Inspector General's Office, MPD Detective Daniel Straub, and Criminal Investigator Charles Fultz of the Office of the Chief Financial Officer, Office of Integrity and Oversight. They also commended DMV Director Anne Witt, as well as her office, which has been fully cooperative in the investigation of this matter. Finally, they acknowledged the effort of Legal Assistant Teesha Tobias and Assistant U.S. Attorneys Daniel P. Butler, who is prosecuting the case.

Jason Lewis Foster, 26, of the 400 block of Oklahoma Avenue, N.E., was sentenced before United States District Judge Paul L. Friedman to 50 months in prison and ordered pay \$60,000 in restitution for phoning in false bomb threats on December 12, 2003, and February 20, 2004. Foster pled guilty to making threats to kill and injure others by means of an explosive on August 10, 2004. Judge Friedman also ordered Foster to pay \$60,000 in restitution.

According to the government's evidence, on December 12, 2003, an unidentified male caller made twelve (12) phone calls to the Metropolitan Police Department, stating that he had placed three bombs in the area of the 400 block of Oklahoma Avenue, N.E. These threats triggered a massive response from local and federal authorities, evacuating homes and expending vital law enforcement resources. The Metropolitan Police Department responded to the threats and located a device in a parking lot adjacent to the 400 block of Oklahoma Avenue, N.E., which was determined to be non-lethal by members of the Explosive Ordinance Division, but was designed to give the appearance of an actual explosive device.

On February 20, 2004, at 5:15 a.m., an unidentified male called the Metropolitan Police Department Communications Division and stated that he thought there was a bomb located in a vehicle parked in the 400 block of Oklahoma Avenue, N.E. An unidentified male called again at 5:16 a.m. and said that there was a bomb in the same location that would explode at 3:00 p.m. Telephone records revealed that the threats were made from a phone number at the defendant's residence.

Three similar bomb threats regarding an explosive device located in the 400 block of Oklahoma Avenue, N.E., were made on February 20, 2004, to the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Metropolitan Police Department's Special Operations Division, and the Metropolitan Police Department's Fifth Police District. The Metropolitan Police Department responded to the 400 block of Oklahoma Avenue, N.E., and found no signs of explosive materials.

After members of the FBI Joint Terrorism Task Force executed a federal search warrant at the defendant's residence, Jason Lewis Foster was identified as the person who made the call on February 20, 2004. The defendant later arrived at the residence, was placed under arrest, and

subsequently admitted that he had made the false bomb threats on December 12, 2003, and February 20, 2004.

In announcing the sentence, United States Attorney Kenneth L. Wainstein and Assistant Director in Charge Michael A. Mason praised the work of FBI Joint Terrorism Task Force members Seth Holmes, Thomas O'Connor, and Gerhard Vienna, and Assistant United States Attorney Brenda Johnson, who prosecuted the case.

Darryl G. Wise, 39, of the 2800 block of Buena Vista Terrace, S.E., Washington, D.C., was sentenced on his prior guilty plea to access device (credit card) fraud. Wise was sentenced by United States District Judge James Robertson to 33 months in prison, to be followed by 3 years of supervised release. He was also ordered to pay restitution to Saks ("Saks") Fifth Avenue of \$45,069.15.

According to the government's evidence presented at the plea hearing and agreed to by the defendant, starting in February of 2001, Wise was employed at different times in the catering field at three hotels in the Baltimore-Washington area. Additionally, since 2003, he has worked for a private catering company in Greenbelt, Maryland.

During 2003, Wise took numerous credit card receipts or credit card numbers from one or more of the hotels at which he had worked. A number of Wise's victims had stayed at one of these hotels. Since in or about May of 2003, he used over 30 stolen credit card numbers to order merchandise, via the telephone, from various Saks stores around the country, including, among other states, New York, Florida, and Pennsylvania. During this same time period, Wise also engaged in the same scheme with some other stores, including Williams-Sonoma, and their subsidiaries, Sears Roebuck and Table Wraps, Ltd. The merchandise was delivered to various addresses in the District of Columbia and Maryland. After receiving the items, Wise would return the items to various Saks stores and a resulting credit was deposited in bank accounts which were solely in the name of the defendant. The owners of the credit card numbers had not, of course, given Wise permission to use their credit cards and disputed the fraudulent charges with their respective banks. As a result, the monies were charged back to Saks, which suffered a loss by the middle of July of 2004 of approximately \$50,000.00.

On July 15, 2004, Special Agents with the United States Secret Service conducted a search of Wise's residence. Among the other items they recovered were credit card receipts in various names other than Wise.

In announcing the defendant's sentence, United States Attorney Wainstein and Special Agent in Charge Burch commended the diligent, hard work on this matter by the U.S. Secret Service, especially Special Agent Stephanie Stradley. In addition, they commended the efforts of legal assistant Teesha Tobias and Assistant United States Attorney Daniel P. Butler, who prosecuted the case.

America Yegile Haileselassie (“Haileselassie”), 25, of 1203 Otis Street, N.E., Washington, D.C., was sentenced before the Honorable John D. Bates of the United States District Court for the District of Columbia to 33 months in prison. Haileselassie pled guilty in May 2004 to Conveying False Information Concerning an Attempt or Alleged Attempt to Commit an Act of Violence Against a Mass Transportation System.

The evidence in this case established that at approximately 6:30 a.m., on Sunday, April 25, 2004, Haileselassie contacted the communications center of the Washington Metropolitan Area Transit Authority (“WMATA”), which is responsible for the operation of the Metrorail system. Haileselassie placed a telephone call to WMATA from his home computer by accessing the Internet through a wireless access device on the computer of one of his neighbors. Haileselassie did not have permission to make use of the neighbor’s wireless access device. Haileselassie, who is hearing impaired, placed the call on a system similar to a TTY (text telephone) machine commonly used for the hearing impaired. The system is designed to permit the hearing impaired to communicate with others through a relay operator. The relay operator performs this function by (a) reading aloud the complete text of any typed message from the caller for the recipient to hear and (b) typing any response by the recipient of the call for the caller to read. The caller and the recipient of the call are “on the line” with the relay operator at the same time. To perform this function, the relay operator relays the written and oral messages verbatim. Using this relay system, Haileselassie communicated with a WMATA police dispatcher for approximately thirty minutes.

Throughout the call, Haileselassie made several threats to blow up trains and stations in the Metrorail system and to kill many train passengers. Haileselassie also threatened to kill President George W. Bush. In response to a question from the WMATA dispatcher about the nature of the bombs, Haileselassie said that they were made with C-4 explosives and contained both “gas explosives” and “radiation.”

Upon receipt of these threats, a variety of federal, state, and local law enforcement authorities took action, including searching the Metrorail system with personnel and bomb-sniffing dogs for several hours. No bombs were ever located.

At the plea hearing, Haileselassie also admitted to his having made an earlier threat to the Metrorail system. At approximately 2:30 p.m. on February 3, 2003, Haileselassie placed a call to MPD’s communications center from a TTY machine inside of the Anacostia Metro station located in S.E. Washington, D.C. In that call, Haileselassie threatened to blow up the Anacostia Metro station. In response to that earlier threat, local law enforcement authorities searched the station using personnel and bomb-sniffing dogs. No bombs were located.

The guilty plea and sentencing are the result of an investigation by members of the Joint Terrorism Task Force of the Washington Field Office. In announcing this sentencing, United States Attorney Kenneth L. Wainstein, Michael A. Mason, Assistant Director in Charge of the Washington Field Office of the Federal Bureau of Investigation (“FBI”), James B. Burch, Special Agent in Charge of the Washington Field Office of the United States Secret Service (“USSS”), Polly L. Hanson, Chief of the Metro Transit Police Department (“MTPD”), and Charles H. Ramsey, Chief of the Metropolitan Police Department (“MPD”) commended the

concerted efforts of FBI Special Agents Christine A. Botz and Amy L. Lasut, USSS Special Agent Daniel P. Kurz, MTPD Detective Marshall K. Trigg, MPD Investigator Seth Holmes, and FBI computer forensics analysts Jeffrey C. Bedford and Susy J. Hwang. They also praised Legal Assistants Karen Evans and Cheryl Simms, and Assistant United States Attorney Jonathan M. Malis, who prosecuted the case.

Michael Lorusso, 39, the former Deputy Director of the District of Columbia's Office of Property Management (OPM), and Fernando J. Villegas, 42, a Washington area building contractor who operated a company called International Builders, Inc. ("IBI") pled guilty before U.S. District Judge Ricardo Urbina to bribery conspiracy charges.

During 2001 and 2002, Lorusso violated city contracting rules as a D.C. government official by awarding various contracts to Villegas and his company, IBI, that resulted in profits to Villegas in excess of \$2 million. In return, Lorusso received numerous illegal benefits from Villegas including cash, gifts, use of luxury vehicles, and vacation trips. Lorusso also pleaded guilty to a second count of conspiracy related to his participation in another bribery scheme with a Washington D.C. area real estate company in 2001 and 2002.

According to the government's evidence, between November 2000 and January 2003, Michael Lorusso, as Deputy Director of OPM, was responsible for arranging for the purchase of construction services and related items such as furniture and technology equipment for properties owned and leased by the D.C. government. One of the individuals who sought to do business with the D.C. government was Fernando J. Villegas, owner and President of International Builders, Inc. or "IBI." As President of IBI, Villegas placed bids and otherwise negotiated on behalf of IBI to obtain contracts and "task orders" to perform construction work for the D.C. government and provide furniture or other items to the D.C. government.

On numerous occasions between November 2001 and January 2003, Lorusso took actions as a D.C. government official that benefitted Villegas and his company, IBI, including the award – without competitive bidding - of over \$8 million in construction contracts, or "task orders," under an existing contract with another firm. In return, Villegas provided numerous items of value to Lorusso, including: a Cartier brand wrist watch costing in excess of \$3000; a plasma screen television (over \$6000); airfare and hotel in connection with a trip to Florida; \$25,000 to Lorusso's attorney for the benefit of Lorusso; regular use of a BMW brand Sports Utility Vehicle, for which IBI was then making lease payments of approximately \$843 per month; the use of Villegas' 1999 Mercedes for several months; and cash payments.

In announcing the guilty pleas, United States Attorney Kenneth L. Wainstein, Michael A. Mason, Assistant Director in Charge of the FBI's Washington Field Office, and Acting Inspector General for the District of Columbia Austin Anderson commended City Councilmember Jim Graham for uncovering evidence of possible favoritism by Lorusso toward certain contractors during City Council hearings held by the Councilmember in 2003. They also thanked the city government for the assistance and cooperation it provided throughout this investigation. Lastly, they praised the work of FBI Special Agents David McClelland and Thomas Chadwick, District of Columbia Inspector General Agent Larry Carr, Legal Assistant

Lisa Robinson, and Assistant United States Attorney Mark H. Dubester, who handled the grand jury investigation leading to the pleas in this case.

U.S. Attorney's Office Web site

The United States Attorney's Office maintains a web site with additional information concerning Office personnel and activities. The web site is: www.DCcommunityprosecution.gov

**The Following Report, Titled “Papered Arrests”
Contains Details on Arrests and Charges Filed
Against Defendants in this District.**

UNITED STATES ATTORNEY'S OFFICE PAPERED COMMUNITY PROSECUTION PAPERED ARRESTS

Criteria Entered; Arrest Date: 11/01/2004 - 11/30/2004, District: 2D, Sort: PSA, Arrest Date

PSA	ARREST DATE	CCN	PAPERD LEAD CHARGE & AUSA'S NAME	DEFENDANT'S NAME	PAPERED CASES	SECTION ASSIGNMENT & LOCATION OF OFFENSE
201	11/06/2004 15:15	04142907	KIDNAPPING TIMOTHY G. LYNCH	DEWS, WILLIE R	F0693104	SC, FELONY SECTION 500 INDIANA AVE NW
201	11/16/2004 04:10	04157427	THEFT 2ND DEGREE RHONDA L. CAMPBELL	GITANO, JOSE	M1191504	SC, MISDEMEANOR SECTION 5000 WESTERN AVE NW
201	11/16/2004 04:10	04157427	THEFT 2ND DEGREE RHONDA L. CAMPBELL	RAMOS, ALEX N	M1191604	SC, MISDEMEANOR SECTION 5000 WESTERN AVE NW
201	11/17/2004 13:15	04158097	THEFT 2ND DEGREE YOU J. LEE	WRIGHT, KEITH L	M1200104	SC, MISDEMEANOR SECTION 6000 WESTERN AVE NW
202	11/07/2004 15:05	04153650	ESCAPE FROM INSTITUTION	HARRIS, THOMAS E	F0690904	SC, COMMUNITY PROSECUTION/GRAND JURY SECTION 4555 WISCONSIN AVE NW
202	11/09/2004 12:05	04058158	CREDIT CARD FRAUD TIMOTHY G. LYNCH	AKIBO-BETTS, SARIAN A	F0698204	SC, GRAND JURY/INTAKE SECTION 5300 WISCONSIN AVE NW
202	11/10/2004 00:15	04179557	FRAUD 1ST DEGREE DANIEL A. PETALAS	KENT, JASON T	M1174004	SC, MISDEMEANOR SECTION 4500 WISCONSIN AVE NW

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PSA	ARREST DATE	CCN	PAPERD LEAD CHARGE & AUSA'S NAME	DEFENDANT'S NAME	PAPERED CASES	SECTION ASSIGNMENT & LOCATION OF OFFENSE
202	11/18/2004 13:15	04158600	THEFT 2ND DEGREE MARGARET A. SEWELL	JOHNSON, NICOLE L	M1202604	SC, MISDEMEANOR SECTION 5300 WIS AVE NW
202	11/18/2004 17:50	04158717	UTTERING TIMOTHY G. LYNCH	MCLEOD, DARRIN A	F0716704	SC, GRAND JURY/INTAKE SECTION 5300 WISC AVE NW
202	11/19/2004 16:30	04093176	THEFT 1ST DEGREE TIMOTHY G. LYNCH	WILLIAMS, BARBARA T	F0719604	SC, COMMUNITY PROSECUTION/GRAND JURY SECTION 5300 WISC AVE NW
202	11/20/2004 23:30	04159936	UCSA POSS MARIJUANA	MARQUEZ, ARNULFO	M1210804	SC, MISDEMEANOR SECTION 4800 NEBRASKA AVE NW
202	11/21/2004 15:30	04160192	THEFT 2ND DEGREE CHARLES N. FLOYD	VAUGHAN, RODEROCK	M1213004	SC, MISDEMEANOR SECTION 4500 WISCONSIN AVE NW
203	11/20/2004 04:48		UUA WENDY SHORT	NAVIDAD, JOSE N	F0720704	SC, FELONY SECTION 1025 CONN AVE NW
203	11/20/2004 04:48		UUA WENDY L. SHORT	NAVIDAD, JOSE N	F0720704	SC, FELONY SECTION 1025 CONN AVE NW

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Criteria Entered; Arrest Date: 11/01/2004 - 11/30/2004, District: 2D, Sort: PSA, Arrest Date

PSA	ARREST DATE	CCN	PAPERD LEAD CHARGE & AUSA'S NAME	DEFENDANT'S NAME	PAPERED CASES	SECTION ASSIGNMENT & LOCATION OF OFFENSE
204	11/02/2004 03:17	04151022	UCSA POSS COCAINE OPHER SHWEIKI	REYES, EDWIN A	M1150204	SC, MISDEMEANOR SECTION 2700 PORTER STREET NW
204	11/05/2004 19:50	04152803	SIMPLE ASSAULT OPHER SHWEIKI	BYAS, EARL W	M1162304	SC, MISDEMEANOR SECTION 2323 WISCONSIN AVE NW
204	11/06/2004 01:45	04152930	DEST OF PROPERTY	MUNOZ, GREGORY A	M1162904	SC, MISDEMEANOR SECTION 3811 39TH STREET NW
204	11/16/2004 13:30	04157630	THEFT 2ND DEGREE DENISE A. SIMMONDS	SHORT, MILTON	M1196904	SC, MISDEMEANOR SECTION 3326 WISCONSIN AVE NW
204	11/16/2004 20:15	04157800	ATTEMPTED ROBBERY TIMOTHY G. LYNCH	BUNCH, JENNIFER L	F0710104	SC, COMMUNITY PROSECUTION/GRAND JURY SECTION 3336 WISCONSIN AVE NW
204	11/16/2004 20:15	04157800	ATTEMPTED ROBBERY TIMOTHY G. LYNCH	BROWN, KEVIN	F0710204	SC, COMMUNITY PROSECUTION/GRAND JURY SECTION 3336 WISCONSIN AVE NW
204	11/20/2004 19:58	04159873	THEFT 2ND DEGREE OPHER SHWEIKI	WALKER, KAREN D	M1211304	SC, MISDEMEANOR SECTION 717 PRINCETON PL NW

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PSA	ARREST DATE	CCN	PAPERD LEAD CHARGE & AUSA'S NAME	DEFENDANT'S NAME	PAPERED CASES	SECTION ASSIGNMENT & LOCATION OF OFFENSE
204	11/20/2004 22:00	04159916	THEFT 2ND DEGREE OPHER SHWEIKI	WALKER, KAREN D	M1211304	SC, MISDEMEANOR SECTION 2505 WISC. AVE NW
204	11/23/2004 13:40	04161140	BURGLARY II ELLEN L. CHUBIN	SULLIVAN, REGINALD N	F0728704	SC, COMMUNITY PROSECUTION/GRAND JURY, COMM. PROS. ASSIGNMENT 4101 DAVIS PLACE NW
204	11/24/2004 19:01		SHOPLIFTING	PATERIYA, ALKA	M1222304	SC, MISDEMEANOR SECTION 4500 WIS AVE NW
204	11/24/2004 19:01	04161119	SIMPLE ASSAULT DENISE A. SIMMONDS	BARTLETT, JOSEPH B	M1222104	SC, MISDEMEANOR SECTION 4500 WISC AVENUE NW
205	11/16/2004 04:50	04149947	ATT THEFT 2ND DEGREE MARGARET A. SEWELL	COBB, JOSHUA A	M1191404	SC, MISDEMEANOR SECTION 5185 MACARTHUR BLVD NW
206	11/05/2004 14:30	04152582	AGGRAVATED ASSAULT TIMOTHY G. LYNCH	ARNOLD, KENNETH R	F0687104	SC, COMMUNITY PROSECUTION/GRAND JURY SECTION 30TH & M STREET NW
206	11/10/2004 15:15	04155013	UNLAWFUL ENTRY	HILL, ORLANDO R	M1184404	SC, MISDEMEANOR SECTION 3222 M STREET NW

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PSA	ARREST DATE	CCN	PAPERD LEAD CHARGE & AUSA'S NAME	DEFENDANT'S NAME	PAPERED CASES	SECTION ASSIGNMENT & LOCATION OF OFFENSE
206	11/17/2004 14:40	04158102	THEFT 2ND DEGREE OPHER SHWEIKI	DAVIS, JEROME A	M1200004	SC, MISDEMEANOR SECTION 3040 M ST NW
206	11/21/2004 02:25	04160006	THEFT 2ND DEGREE FERNANDO CAMPOAMOR-SANCHEZ	PRICE, DANIEL J	M1210304	SC, MISDEMEANOR SECTION 3000 BLK M. STREET NW
206	11/23/2004 14:30		UTTERING TIMOTHY G. LYNCH	YOUNG, BERNARD A	F0730604	SC, COMMUNITY PROSECUTION/GRAND JURY SECTION 3500 GEORGIA AVE NW
206	11/29/2004 10:52	04163432	THEFT 2ND DEGREE DANIEL A. PETALAS	CLARK, TINOTA N	M1233904	SC, MISDEMEANOR SECTION 1239 WISCONSIN AVE NW
206	11/29/2004 17:30	04163371	THEFT 2ND DEGREE	CASON, PHILLIP T	M1234204	SC, MISDEMEANOR SECTION 1258 WISCONSIN AVE NW
207	11/10/2004 00:30	04154802	UCSA POSS MARIJUANA FERNANDO CAMPOAMOR-SANCHEZ	MARKMAN, MATTHEWS R	M1175504	SC, MISDEMEANOR SECTION 2350 H STREET NW
207	11/13/2004 18:15	04156436	UNLAWFUL ENTRY CHARLES N. FLOYD	YARTO, ROMAN G	M1187004	SC, MISDEMEANOR SECTION 2601 VA AVE NW

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PSA	ARREST DATE	CCN	PAPERD LEAD CHARGE & AUSA'S NAME	DEFENDANT'S NAME	PAPERED CASES	SECTION ASSIGNMENT & LOCATION OF OFFENSE
207	11/17/2004 15:00	04158180	CONTEMPT JOHN W. BORCHERT	PROPHET, DWIGHT	M1199004	SC, MISDEMEANOR SECTION 1600 PENNSYLVANIA AVE NW
207	11/19/2004 06:30	04999999	THEFT 1ST DEGREE SUSAN CUSHMAN	LITTLETON, MAURCELL E	F0717904	SC, COMMUNITY PROSECUTION/GRAND JURY SECTION 2025 F ST NW
208	11/13/2004 14:50	04134898	SIMPLE ASSAULT YOU J. LEE	OLIVER, STEVEN D	M1186204	SC, MISDEMEANOR SECTION 3320 IDAHO AVE NW